

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

June 7, 2010, Continued

C060549 In re the Marriage of BARBARA and WILLIAM C. AMENDED
SCHOPFER; SCHOPFER v. BONEBRAKE
BY THE COURT:
Appellant's petition for rehearing is granted. The decision filed on
May 18, 2010, is vacated.
SCOTLAND, P.J.

June 8, 2010

C058391 THE PEOPLE v. RAYMOND MARTIN (Not For Publication)
C058392 THE PEOPLE v. VINCENT GREGORY
C058633 THE PEOPLE v. STANLEY MASON
The judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Raye, J.
Cantil-Sakauye, J.

C061148 THE PEOPLE v. JORGE RAMIREZ (Not For Publication)
The judgment is modified... As modified, the judgment is affirmed. ...
The trial court is further directed to send a certified copy of the amended abstract
to the Department of Corrections and Rehabilitation.
SCOTLAND, P.J.
We Concur: Sims, J.
Robie, J.

C063291 THE PEOPLE v. (Not For Publication)
JUAN ORTIZ CONTRERAS
The judgment is affirmed.
NICHOLSON, J.
We Concur: Sims, Acting P.J.
Raye, J.

**COURT OF APPEAL
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Court Minutes

June 8, 2010, Continued

C061150 AMERICAN NURSES ASSOCIATION (Certified For Publication)
et al. v. JACK O'CONNELL, As
Superintendent of Public Education etc.,
et al.; AMERICAN DIABETES ASSOCIATION

The judgment and issuance of the peremptory writ of mandate is affirmed. The automatic stay confirmed by this court's order dated 04/02/09, is vacated upon finality of this opinion. Costs on appeal are awarded to respondents. (Cal. Rules of Court, rule 8.278(a)(1) & (a)(2).)

CANTIL-SAKAUYE, J.

I concur: Sims, J.

I concur because I must, not because I want to. ...

Scotland, P.J.

June 9, 2010

C060963 THE PEOPLE v. (Not For Publication)
ROBERT LEE JOHNSON

The judgment is affirmed.

SCOTLAND, P.J.

We Concur: Sims, J.

Robie, J.

C062181 THE PEOPLE v. FRANK BARTON (Not For Publication)

The case is remanded to the trial court in accordance with *McKee, supra*, 47 Cal.4th 1172 to determine whether the People can demonstrate a constitutional justification for imposing on Barton (or all similarly situated SVP's), a greater burden to obtain release from commitment than is imposed on MDO's and NGI's. In all other respects, the order of commitment is affirmed.

BUTZ, J.

We Concur: Robie, Acting P.J.

Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

June 9, 2010, Continued

- C062523 THE PEOPLE v. (Not For Publication)**
FABIAN ABARCA SALAS
The matter is remanded to the trial court with directions to afford defendant the opportunity for a hearing consistent with the holding in *People v. Smith, supra*, 6 Cal.4th at pages 694 through 696. If defendant prevails on a new trial motion, the court is directed to vacate the judgment and to proceed according to law. If the court does not grant a new trial, or if defendant does not bring a new trial motion, the court shall amend the abstract of judgment to reflect the presentence custody credits set forth in Part II, *ante*.
SCOTLAND, P.J.
We Concur: Sims, J.
 Raye, J.
- C062388 In re the Marriage of JILL and VICTOR D.; (Certified For Publication)**
JILL D. v. VICTOR D.
C062388 In re L.D. et al., Minors; JILL D. v. VICTOR D.
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Sims, J.
 Robie, J.
- C062669 In re I.B.; SACRAMENTO COUNTY (Not For Publication)**
DEPARTMENT OF HEALTH AND HUMAN
SERVICES v. J.M.
The juvenile court's order is affirmed.
SCOTLAND, P.J.
We Concur: Sims, J.
 Robie, J.
- C062915 In re R.C.; THE PEOPLE v. R.C. (Not For Publication)**
The order committing the minor to the Department of Juvenile Justice is modified... As modified, the order is affirmed. ...
SCOTLAND, P.J.
We Concur: Sims, J.
 Raye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

June 10, 2010

C060202 THE PEOPLE v. (Not For Publication)
ALEJANDRO SANTANA

The judgment is modified... As modified, the judgment is affirmed. ...

RAYE, Acting P.J.

We Concur: Robie, J.

Butz, J.

C060504 THE PEOPLE v. (Not For Publication)
PETER MANUEL ARTEAGA

Defendant's convictions are affirmed. The sentence is vacated and the matter is remanded to the trial court for the purpose of allowing it to consider in its discretion whether to dismiss defendant's prior strike conviction. If the trial court dismisses the prior, it shall resentence defendant. If the trial court declines to dismiss the prior, it shall reinstate the sentence previously imposed.

BLEASE, Acting P.J.

We Concur: Raye, J.

Robie, J.

C061097 In re the Marriage of JAYRAJ and (Not For Publication)
C062004 BINDU NAIR; NAIR v. NAIR

The December 11, 2008, order is reversed insofar as it denies appellant Jayraj Nair's request for reimbursement of Bindu Nair's share of expenses incurred for Suraj's education-related activities. The order of December 11, 2008, is otherwise affirmed. The Domestic Violence Prevention Act restraining order granted on March 13, 2009, and filed on March 25, 2009, is affirmed. The parties shall bear their own costs on appeal. (Cal. Rules of Court, rule 8.278 (a)(5).)

SIMS, Acting P.J.

We Concur: Raye, J.

Hull, J.

C061404 In re A.B.; SACRAMENTO COUNTY (Not For Publication)
DEPARTMENT OF HEALTH AND HUMAN
SERVICES v. R.B.

The juvenile court's order is affirmed.

BLEASE, Acting P.J.

We Concur: Raye, J.

Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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June 11, 2010

- C062000 THE PEOPLE v. (Not For Publication)**
JAMES LEE MATHEWS
Defendant's sentence is vacated. The matter is remanded to the trial court with directions either to sentence defendant as required by statute or to give him the option of withdrawing his plea.
BLEASE, Acting P.J.
We Concur: Nicholson, J.
Raye, J.
- C062871 In re C.G. et al.; SACRAMENTO COUNTY (Not For Publication)**
DEPARTMENT OF HEALTH AND HUMAN
SERVICES v. G.G., SR.
The orders of the juvenile court are affirmed.
BUTZ, J.
We Concur: Scotland, P.J.
Cantil-Sakauye, J.
- C063000 In re Darian B. et al.; SACRAMENTO (Not For Publication)**
COUNTY DEPARTMENT OF HEALTH
AND HUMAN SERVICES v. ONIKA B.
The order of the juvenile court terminating appellant's parental rights is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Nicholson, Acting P.J.
Raye, J.
- C064314 S.D. v. SUPERIOR COURT OF (Not For Publication)**
SACRAMENTO COUNTY; SACRAMENTO
COUNTY DEPARTMENT OF HEALTH &
HUMAN SERVICES et al.
The petition for extraordinary writ is denied.
BLEASE, Acting P.J.
We Concur: Hull, J.
Robie, J.
- C062466 In re TIMOTHY ROSS on Habeas Corpus. (Certified For Publication)**
The petition for writ of habeas corpus is denied.
SCOTLAND, P.J.
We Concur: Nicholson, J.
Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
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Court Minutes

June 11, 2010, Continued

C059048

THE PEOPLE v. ERNEST ARTHUR DIAZ

BY THE COURT:

Appellant's petition for rehearing is denied.

BUTZ, Acting P.J.